



United States Department of State

*Bureau of Human Resources
Office of Retirement
Room H-620, SA-1
Washington, D.C. 20522*

Law Enforcement Retirement Information

Under Public Law 105-382, enacted November 13, 1998, certain special agents covered under the Foreign Service Retirement and Disability System (FSRDS) or FSRDS Offset have an opportunity to elect to become covered under special law enforcement retirement provisions. The opportunity also applies to those special agents under the Foreign Service Pension System (FSPS), who have part of their annuity computed under the FSRDS, and to survivors of special agents who were eligible to make an election during the election period. The special law enforcement provisions are similar to those for law enforcement personnel under the Civil Service Retirement System.

The law provides that special agents who are covered must: (1) pay an additional .5% in employee retirement contributions for future service as a special agent (this is on top of the increased employee contributions required under the Balanced Budget Act of 1997, explained in FMP's Payroll News dated January 1999); and (2) retire at age 57 unless an exemption from mandatory retirement is approved under section 812 of the Foreign Service Act.

In return, DS special agents who have at least 20 years of service as a special agent (including service as a law enforcement officer under the Civil Service Retirement System (CSRS) or the Federal Employees' Retirement System (FERS) or a member of the Capitol Police) receive the following enhanced annuity computation upon retiring: 2.5% of high three average salary for the first 20 years of service as a special agent (including law enforcement service under CSRS, or a member of the Capitol Police); and 2.0% of high three average salary for service described above in excess of 20 years, or for any other creditable service.

In order for an eligible special agent to receive the full benefit of the enhanced retirement formula, a deposit representing the extra .5% contribution for prior periods of law enforcement service must be paid with interest. Alternatively, a special agent may incur an actuarial reduction in his or her

annuity benefits if he or she chooses not to make a special contribution.

In order to be covered by these law enforcement provisions, a special agent appointed before November 13, 1998 who is participating in the FSRDS, FSRDS Offset, or the FSPS (with part of their benefits computed under FSRDS) must affirmatively make an election on before July 8, 1999. Information packets, including election forms, were mailed on April 9, 1999 to special agents presumed eligible to make this election. (In general, a special agent covered by FSPS who was continuously employed by the federal government in a civilian capacity since prior to January 1, 1984, or who had 5 years of civilian service as of December 31, 1986 would have part of their annuity computed under FSRDS.)

Any special agent who was an FSRDS, FSRDS OFFSET, or FSPS participant on November 13, 1998, who is entitled to have all or part of their annuity computed under FSRDS, who did not receive an information packet and election form should contact:

DS/PMD, THIRD FLOOR, SA-10
ATTENTION: FAYEANN NOVAK
WASHINGTON, D.C. 20522

Questions about this law should be directed to
rnet@state.gov